

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

In Re:) 17-28164
)
Darren & Brenda Barndt,) Chapter 13
)
Debtor(s).) Judge A. Benjamin Goldgar

NOTICE OF MOTION

To the following persons or entities who were served via email by the Bankruptcy Court:

Glenn Stearns, Ch. 13 Trustee: mcguckin_@lisle13.com

To the following persons or entities who were served via regular U.S. Mail:

See attached service list.

PLEASE TAKE NOTICE that on March 9, at 9:30 am, or as soon thereafter as counsel may be heard, I shall appear before the Honorable A. Benjamin Goldgar at North Branch Court, 1792 Nicole Lane, Round Lake Beach, IL 60073 (or any other place posted, or before any other Judge who may be sitting in his/her place and stead), and present the attached **Motion to Allow Short Sale of Real Estate and to Shorten Notice**, at which time and place you may appear.

/s/ John J. Ellmann

CERTIFICATE OF SERVICE

The undersigned does hereby certify that copies of this Notice and attachments were served to the above persons or entities, by depositing same in the U.S. Mail at Wheeling, Illinois 60090, with proper postage prepaid, or served electronically by the Bankruptcy Court, before 5:00 p.m. on February 21, 2018.

/s/ John J. Ellmann

John J. Ellmann, A.R.D.C. #6257894
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES, LLC
790 Chaddick Drive
Wheeling, IL 60090
847/ 520-8100

Darren and Brenda Barndt
12409 Quassey Avenue
Lake Bluff, IL 60044

Joel P. Fonferko
Codilis & Associates, P.C.
15W030 North Frontage Road, Ste. 100
Burr Ridge, IL 60527

Commerce Bank
P.O. BOX 419248
KCREC-10
Kansas City, MO 64141-6248

Discover Bank
Discover Products Inc.
PO Box 3025
New Albany, Ohio 43054-3025

Fifth Third Bank
PO Box 9013
Addison, Texas 75001

Portfolio Recovery Associates, LLC
POB 41067
Norfolk, VA 23541

Capital One Bank (USA), N.A.
PO Box 71083
Charlotte, NC 28272-1083

Bank Of America, N.A.
PO BOX 31785
Tampa, FL 33631-3785

Bank of America, N.A.
P.O. Box 982284
El Paso, TX 79998-2238

American Express Centurion Bank
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

Department Stores National Bank
c/o Quantum3 Group LLC
PO Box 657
Kirkland, WA 98083-0657

LVNV Funding, LLC its successors and
assigns as assignee of Citibank, N.A.
Resurgent Capital Services
PO Box 10587

TD Bank USA, N.A.
C O WEINSTEIN & RILEY, PS
2001 WESTERN AVENUE, STE 400
SEATTLE, WA 98121

Quantum3 Group LLC as agent for
MOMA Funding LLC
PO Box 788
Kirkland, WA 98083-0788

COMENITY CAPITAL BANK
C/O Weinstein & Riley P.S.
2001 Western Ave Ste. 400
Seattle, WA 98121

**UNITED STATES BANKRUPTCY COURT
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In Re:)	17-28164
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Darren & Brenda Barndt,)	Chapter 13
)	
Debtor(s).)	Judge A. Benjamin Goldgar

**MOTION TO ALLOW SHORT SALE OF REAL ESTATE
AND TO SHORTEN NOTICE**

NOW COME the Debtors, by and through their attorneys, DAVID M. SIEGEL & ASSOCIATES, to present their Motion, and in support thereof state as follows:

1. Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
2. On September 20, 2017 the Debtors filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, Glenn Stearns was appointed Trustee in the case and the continued hearing on confirmation of the Chapter 13 plan is set for March 9, 2018.
3. The Debtors own real estate located at 1268 Blue Heron Circle, Antioch, IL 60002. The proposed chapter 13 plan provides that this property is to be surrendered and the stay on the property has already been modified as to Fifth Third Mortgage Company, the primary mortgage holder.
4. The Debtors desire to sell said property in a "Short Sale" and have entered into a real estate contract for the sale of the property, with a proposed closing date on March 21, 2018. (Contract attached as Exhibit A)
5. The purchase price in the contract is \$271,000.00 and the mortgage balance owed to Fifth Third Mortgage Company is \$262,437.39 per the Statement Accompanying Motion for Relief from Stay. After completion of the sale the proceeds will be insufficient to cover mortgage payoff and transaction costs or will be de minimis, hence the "Short Sale" description.

6. Debtors also request that the notice requirement of Rule 2002 of the Federal Rules of Bankruptcy Procedure be shortened, to allow this motion to be heard in time for the scheduled closing date.

WHEREFORE, the Debtors, Darren and Brenda Barndt, pray that this Honorable Court grant Debtor's Motion to Allow Short Sale of Real Estate and to Shorten Notice.

Respectfully Submitted,

John J. Ellmann, A.R.D.C. #6257894
Attorney for the Debtor(s)

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